



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Michael B. ZEMEL et al.

Appl. No: 10/066,057

Confirmation No: 8306

Filed: January 31, 2002

For: MATERIALS AND METHODS
FOR THE TREATMENT OR
PREVENTION OF OBESITY

Art Unit: 1617

Examiner: WEBMAN, Edward J.

Atty. Docket No: 31894-192403

Customer No:

26694

PATENT TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO/SB/08A. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue there from.

Reference A1 was cited in an international search report from a related counterpart application, PCT/US02/40091. References C1 to C3 are list in the specification of the application

and were submitted in a related counterpart application, U.S.S.N. 10/017,568. References C4 to C8 were obtained from an unrelated case.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and is awaiting an office action after the issuance of a notice of withdrawal of a notice of allowance and is therefore timely. However, should it be deemed a fee is required, please charge any necessary payments in connection with this Information Disclosure Statement to Deposit Account No. 22-0261.

Respectfully submitted,



Date: August 27, 2004

Michael A. Gollin
Registration No. 31,957
Zayd Alathari
Registration No. 42,256
VENABLE
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax : (202) 344-8300

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/066,057
Filing Date	January 31, 2002
First Named Inventor	Michael B. ZEMEL et al.
Group Art Unit	1617
Examiner Name	Edward J. WEBMAN
Attorney Docket Number	31894-192403

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,071,544		Sunvold	06/06/2000	
	A2					
	A3					

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	B1							
	B2							

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	BOUILLON, B., et al., "Structure-Function Relationships In The Vitamin D Endocrine System," Endocrine Rev. (1995) pp. 200-57, Vol. 16	
	C2	NORMAN, A.W., "Receptor for 1 α ,25(OH) ₂ -D ₃ : Past, Present, and Future," J. Bone. Miner. Res. (1998) pp. 1360-69, Vol. 13	
	C3	NORMAN, A., et al., "Demonstration That 1 β ,25-Dihydroxyvitamin D ₃ Is An Antagonist Of The Nongenomic But Genomic Biological Response And Biological Profile Of The Three A-Ring Diastereomers Of 1 α ,25-Dihydroxyvitamin D ₃ ," J. Biol. Chem. (1993) pp. 20022-30, Vol. 268	
	C4	BURRINGTON, Kimberly J., "Food Product: Dairy Ingredients for Health," [October 1999] < http://www.karlloren.com/Diabetest/diet/milk/p5.htm ><11/20/2001>, pages 1 of 17	
	C5	LIN, Yi-Chin, et al., "Dairy Calcium is Related to Change in Body Composition During a Two-Year Exercise Intervention in Young Women", Journal of the American College of Nutrition, Vol. 19, No. 6, 754-760 (2000), pages 754-760	
	C6	DAVIES, K. Michael, "Calcium Intake and Body Weight", The Journal of Clinical Endocrinology & Metabolism, Volume 85, Number 12, December 2000, pages 4635-4638	
	C7	CARRUTH, BR and SKINNER, JD, "The Role of Dietary Calcium and Other Nutrients in Moderating Body Fat in Preschool Children", International Journal of Obesity, Volume 25, Number 4, April 2001, pages 559-566	
	C8	ZEMEL, Michael B., "Dietary Calcium and Dairy Products Accelerate Weight and Fat Loss During Energy Restriction in Obese Adults," American Journal of Clinical Nutrition, [2000] 75(suppl):a342s	
	C9		

Examiner
Signature

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Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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